

## REMARKS

The Office Action mailed February 18, 2005 has been reviewed and carefully considered. Claims 1-16 remain pending, the independent claims remaining 1, 15 and 16. Claim 16 is amended. The Examiner's indication of allowable subject matter for claims 3 and 4 is appreciated. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

Claims 2 and 16 stand objected to for informalities.

The Office Action indicates that a phrase from claim 1 is repeated in dependent claim 2. Notably, however, claim 1 refers to "a signal" whereas claim 2 refers to "the signal." It is also noted that method claim 1 has two steps: matching and assigning. Although claim 1 describes the input image as "determined . . .," claim 1 does not positively recite a step of "determining." Therefore, an infringing article that otherwise meets the claim limitations would not necessarily itself have to perform any such determining in order for direct infringement by that article to occur. On the other hand, the first positively recited step in claim 2 recites "determining." Accordingly, although the Office Action proposes a cure to a problem, no such problem in need of cure exists.

As to claim 16, it is amended, as proposed by the Office Action, clarify that functional descriptive material is being claimed.

Claims 1, 2, 6, 11, 15 and 16 stand rejected under 35 U.S.C. 102(e) as anticipated by U.S. Patent Publication 2002/0039203 to Endo et al. ("Endo").

The Office Action states, "There is a plurality of groups . . . and 'groups' are considered to be the same as 'states.'"

The applicants traverse this proposition by the Office Action, specifically the underlined portion of the above quotation.

As the Office Action suggests, Endo discloses that “the image is classified into a group depending on which physical location the image was originally taken in.”

Thus, an Endo input image is matched to one of a plurality of groups, and each group has the characteristic of pertaining to a respective physical location where an image was originally taken.

However, such a group is not properly regarded as a state.

Thus, by way of example, Endo fails to disclose or suggest, “matching an input image with one of a plurality of states, the input image determined from a signal comprising images from a plurality of cameras . . .”

For at least the above reasons, Endo fails to anticipate the present invention as recited in claim 1. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 15 and 16 both recite, “compare the input image information with state image information.”

Claims 15 and 16, therefore, are deemed to distinguish patentably over Endo for at least the reasons set forth above with regard to claim 1.

Claims 7-9 stand rejected under 35 U.S.C. 103(a) as unpatentable over Endo in view of U.S. Patent No. 6,317,160 to Yoshida et al. (“Yoshida”).

Claim 7 depends from claim 1, and Yoshida cannot compensate for the shortcomings of Endo.

Endo is directed to organizing snapshots ([0040] first and next-to-last sentences) stored in a digital camera into groups by location, the snapshots being taken potentially from various locations. The organizing can be done by a personal computer, the input coming from one camera over a wired communication link, and, from a second camera, by means of removable storage memory [0158]. The organizing first step is to load the stored images in the order of image picking-up [0071]. Then, a calculation is made of the distance between picking-up positions of pictures that are consecutive in that order [0075], to thereby group pictures by location.

Yoshida, by contrast, relates to monitoring (col. 1, line 15(16)) by switching among the respective output signals of television (col. 7, line 5) cameras to produce one continuous input image signal (col. 1, lines 19-20; abstract, first sentence).

The Office Action offers no guidance as to what motivation would have existed to make the proposed combination.

It appears that the Office Action suggests changing the principle of operation of the primary reference.

The instant applicants fail to see on what proper basis it could be said that it would have been obvious to modify Endo in view of Yoshida to resemble claim 1, much less claim 7.

For at least the above reasons, the proposed combination of references fails to render obvious the present invention as recited in claim 7.

Claim 9 likewise depends from base claim 1, and is deemed to distinguish patentably over the cited references for at least the same reasons set forth above with regard to claim 1.

Reconsideration and withdrawal of the rejections are respectfully requested.

The remaining grounds of rejection, of the remaining claims, each amount to a rejection over Endo in view of a patent or patent application commonly assigned with the instant disclosure.

For each of these patents and patent publications, the subject matter and the claimed invention were, at the time the claimed invention was made, owned by or subject to an obligation of assignment to U.S. Philips Corporation.

In accordance with 35 U.S.C. 103(c), therefore, none of these patents and patent publications used as a secondary reference in the remaining obviousness rejections constitutes valid prior art as to the instant claims.

As set forth above, the primary reference fails to disclose features of base claim 1. Since these remaining secondary references are not prior art, none of the remaining obviousness rejections are valid.

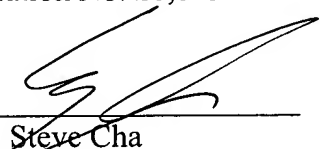
Reconsideration and withdrawal of the rejections are respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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Date: May 18, 2005

  
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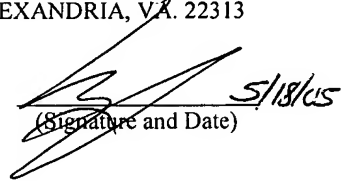
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